

COPY

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September 30, 2010

Via Federal Express

Philadelphia Department of Public Health
Air Management Services
Asbestos Control Unit
Spelman Building,
321 University Avenue, 2nd Floor
Philadelphia, PA 19104-4543

AIR MANAGEMENT SERVICES
2010 OCT -1 AM 11:10
ASBESTOS CONTROL UNIT

**RE: Arsenal Business Center Building 121
Notice of Violation Addressed to New Huntington –
NESHAP, V-02666;
Notice of Violation Addressed to New Huntington –
MAJOR, V-02668**

Dear Sir/Madam:

This Firm is counsel to New Huntington Construction Company, Inc. ("New Huntington"). I am writing on behalf of New Huntington and in response to the attached Notices of Violation received by mail on or about September 23, 2010. Both Notices summarize the nature of the alleged violation as follows: "Unnotified asbestos abatement/disposal observed and documented in digital photographs. All material was dry in bags. Workers wore no suits/respirators. Work area was not plasticized. No engineering controls in place. No air monitoring. Please respond to this notice of violation within 5 days of receipt."

As a threshold matter, New Huntington hereby denies all material allegations of wrongdoing and any and all liability for the alleged violations. As explained herein, New Huntington was not engaged in the abatement, removal or disposal of asbestos materials at the time of the alleged violation and strict proof is hereby demanded. That said, all information is provided herein to the best of our knowledge, understanding and belief. Neither this response nor anything contained herein is intended to be nor shall be construed to be an admission of liability on the part of New Huntington. We respectfully request that copies of the referenced digital photographs and well as all documentation and information be provided so that we may be able to investigate fully the cause of these alleged violations and prevent future violations.

BK

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Completion Date for Proposed Corrections

To the extent New Huntington is hired to dispose of the bags allegedly containing asbestos materials, New Huntington would promptly engage an environmental specialist to inspect Building 121 for the purpose of identifying any other environmental risks, after which, New Huntington will contract with a certified asbestos contractor to dispose of the bags allegedly containing asbestos-related material in Building 121.

New Huntington hereby contests the material facts set forth in the Notices of Violation and the appropriateness of any proposed penalty. New Huntington reserves all of its rights and remedies.

Sincerely,

A handwritten signature in black ink, appearing to read 'Michelle S. Walker', with a stylized, wavy line for the surname.

Michelle S. Walker

Enclosure

NOTICE OF VIOLATION

(Violator must complete and return within five days)

CAUSE OF VIOLATION

STEPS TAKEN TO PREVENT FURTHER VIOLATION

COMPLETION DATE FOR PROPOSED CORRECTIONS

NAME

SIGNATURE

COMPANY NAME

TITLE

DATE

ADDRESS

PHONE NUMBER

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(Violator must complete and return within five days)

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